

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 578 be amended to read as follows:

- 1 Page 10, line 7, strike "Without complying with IC 4-22-2,".
- 2 Page 10, line 7, delete "adopt," and insert "Adopt,".
- 3 Page 10, line 13, delete "These bylaws," and insert "**Bylaws**,".
- 4 Page 10, line 13, after "policies" insert "**that:**
- 5 (A) **qualify for the exemption provided by**
- 6 **IC 4-22-2-13(c)(1); or**
- 7 (B) **do not otherwise qualify as rules under IC 4-22-2-3(b);**
- 8 **may be adopted by the authority without complying with**
- 9 **IC 4-22-2 but".**
- 10 Page 10, line 14, delete "made" and insert "**adopted**".
- 11 Page 10, line 16, after "authority." insert "**Bylaws, rules, guidelines,**
- 12 **and policies that do not qualify for the exemption provided by**
- 13 **IC 4-22-2-13(c)(1) must be adopted under IC 4-22-2 if they**
- 14 **otherwise qualify as rules under IC 4-22-2-3(b)".**
- 15 Page 14, line 25, after "statutes." insert "**Rules and guidelines**
- 16 **described in this subdivision that:**
- 17 (A) **qualify for the exemption provided by**
- 18 **IC 4-22-2-13(c)(1); or**
- 19 (B) **do not otherwise qualify as rules under IC 4-22-2-3(b);**
- 20 **may be adopted by the authority without complying with**
- 21 **IC 4-22-2. However, rules and guidelines that do not qualify**
- 22 **for the exemption provided by IC 4-22-2-13(c)(1) must be**
- 23 **adopted under IC 4-22-2 if they otherwise qualify as rules**
- 24 **under IC 4-22-2-3(b)".**
- 25 Page 16, line 41, delete "without complying with IC 4-22-2,".
- 26 Page 20, line 22, delete "laws" and insert "laws,".
- 27 Page 20, line 22, strike "applicable thereto." and insert "**except that**
- 28 **the authority must comply with IC 4-22-2 in promulgating rules**
- 29 **that:**
- 30 (1) **do not qualify for the exemption provided by**
- 31 **IC 4-22-2-13(c)(1); and**

- 1 **(2) otherwise qualify as rules under IC 4-22-2-3(b).".**
- 2 Page 23, line 41, delete "guidelines," and insert "guidelines".
- 3 Page 23, line 41, strike "without complying with".
- 4 Page 23, line 42, strike "IC 4-22-2,".
- 5 Page 24, line 4, after "Code." insert **"The IFA may adopt**
- 6 **guidelines under this subsection without complying with IC 4-22-2**
- 7 **only if the guidelines:**
- 8 **(1) do not qualify as rules under IC 4-22-2-3(b); or**
- 9 **(2) qualify for the exemption provided by IC 4-22-2-13(c)(1).".**
- 10 Page 39, line 27, delete "IC 4-22-2." and insert **"IC 4-22-2 only if**
- 11 **the rules and bylaws:**
- 12 **(A) do not qualify as rules under IC 4-22-2-3(b); or**
- 13 **(B) qualify for the exemption provided by**
- 14 **IC 4-22-2-13(c)(1).".**
- 15 Page 43, line 9, strike "by rule or policy".
- 16 Page 46, line 6, delete "board," and insert "board."
- 17 Page 46, line 6, strike "all without the necessity of adopting a rule".
- 18 Page 46, line 7, strike "under IC 4-22-2." and insert **"Bylaws and**
- 19 **rules described in this subdivision that:**
- 20 **(A) qualify for the exemption provided by**
- 21 **IC 4-22-2-13(c)(1); or**
- 22 **(B) do not otherwise qualify as rules under IC 4-22-2-3(b);**
- 23 **may be adopted by the board without complying with**
- 24 **IC 4-22-2. However, bylaws and rules that do not qualify for**
- 25 **the exemption provided by IC 4-22-2-13(c)(1) must be adopted**
- 26 **under IC 4-22-2 if they otherwise qualify as rules under**
- 27 **IC 4-22-2-3(b).".**
- 28 Page 68, line 29, strike "and without".
- 29 Page 68, line 30, strike "complying with IC 4-22-2,".
- 30 Page 68, line 31, after "chapter." insert **"The Indiana finance**
- 31 **authority may adopt guidelines under this section without**
- 32 **complying with IC 4-22-2 only if the guidelines:**
- 33 **(1) do not qualify as rules under IC 4-22-2-3(b); or**
- 34 **(2) qualify for the exemption provided by IC 4-22-2-13(c)(1).".**
- 35 Page 92, line 3, delete "guidelines, without complying with".
- 36 Page 92, line 3, strike "IC 4-22-2,".
- 37 Page 92, line 4, before "to" insert **"guidelines".**
- 38 Page 92, line 5, after "chapter." insert **"The authority may adopt**
- 39 **guidelines under this section without complying with IC 4-22-2 only**
- 40 **if the guidelines:**
- 41 **(1) do not qualify as rules under IC 4-22-2-3(b); or**
- 42 **(2) qualify for the exemption provided by IC 4-22-2-13(c)(1).".**
- 43 Page 104, line 20, delete "guidelines, without complying with".
- 44 Page 104, line 20, strike "IC 4-22-2,".
- 45 Page 104, line 21, before "to" insert **"guidelines".**
- 46 Page 104, line 22, after "chapter." insert **"The authority may adopt**
- 47 **guidelines under this section without complying with IC 4-22-2 only**

- 1 **if the guidelines:**
2 **(1) do not qualify as rules under IC 4-22-2-3(b); or**
3 **(2) qualify for the exemption provided by IC 4-22-2-13(c)(1)."**
4 Page 118, line 11, strike "without complying with".
5 Page 118, line 12, strike "IC 4-22-2".
6 Page 118, line 12, after "chapter." insert "**The authority may adopt**
7 **guidelines under this section without complying with IC 4-22-2 only**
8 **if the guidelines:**
9 **(1) do not qualify as rules under IC 4-22-2-3(b); or**
10 **(2) qualify for the exemption provided by IC 4-22-2-13(c)(1)."**
 (Reference is to SB 578 as printed February 25, 2005.)

Senator LANDSKE